

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE: Adeline M Paziora

Debtor

CHAPTER 13

NewRez LLC dba Shellpoint Mortgage  
Servicing as servicer for The Bank of  
New York Mellon fka The Bank of New  
York, as Trustee for the Certificateholders  
Cwalt, Inc., Alternative Loan  
Trust 2006-16CB Mortgage Pass-  
Through Certificates, Series  
2006-16CB

No. 19-13085-amc

Movant

11 U.S.C. Sections 362 and 1301

vs.

Adeline M Paziora

Debtor

William C. Miller, Esq.

Trustee

**MOTION OF NEWREZ LLC DBA SHELLPOINT MORTGAGE SERVICING AS  
SERVICER FOR THE BANK OF NEW YORK MELLON FKA THE BANK OF  
NEW YORK, AS TRUSTEE FOR THE CERTIFICATEHOLDERS CWALT,  
INC., ALTERNATIVE LOAN TRUST 2006-16CB MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2006-16CB FOR RELIEF  
FROM THE AUTOMATIC STAY UNDER SECTION 362 and 1301**

1. Movant is NewRez LLC dba Shellpoint Mortgage Servicing LLC as servicer for The Bank of New York Mellon fka The Bank of New York, as Trustee for the Certificateholders Cwalt, Inc., Alternative Loan Trust 2006-16CB Mortgage Pass-Through Certificates, Series 2006-16CB.
2. Debtor is the owner of the premises 2626 S. 10<sup>th</sup> Street, Philadelphia, PA 19148, hereinafter referred to as the mortgaged premises.
3. Movant is the mortgagee of record of a mortgage, original principal amount of \$152,800.000 on the mortgaged premises that was executed on April 6, 2006. Said mortgage was recorded on April 19, 2006. The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on January 23, 2012 in Philadelphia County.
4. William C. Miller Esq., is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in

Bankruptcy by the Debtor(s).

6. Debtor has failed to make the monthly post-petition mortgage payments in the amount of \$1,322.81 for the months of June 2019 through October 2019, for a total of \$6,614.05. The debtor's suspense balance is \$0.00. The total amount due post-petition is \$6,614.05.
7. In addition to the other amounts due to Movant reflected in this Motion, as of the date hereof, in connection with seeking the relief requested in this Motion, Movant has also incurred \$850.00 in legal fees and \$181.00 in legal costs. Movant reserves all rights to seek an award or allowance of such fees and expenses in accordance with applicable loan documents and related agreements, the Bankruptcy Code and otherwise applicable law.
8. The unpaid principal balance as of October 11, 2019 is \$121,297.84.
9. Movant is entitled to relief from stay for cause.
10. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

Dated: October 25, 2019

Respectfully Submitted,

/s/Fei Lam, Esq.

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